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Northern Arizona Reporters
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Edited by Lynn Roe, Secretary to the Director

Proceedings of the Arizona Game and Fish
Commission License Revocation and Civil
Assessment Hearings
Friday, August 13, 2004 – 1:30 p.m. time certain
DuBois Center – Northern Arizona University
Building 64, 2nd Floor Balloon
306 East Pine Knoll Drive
Flagstaff, Arizona 86011

PRESENT: (Commission)

Chairman Chilton
Commissioner W. Hays Gilstrap
Commission Joe Melton
Commissioner Michael M. Golightly
Commissioner William H. McLean

(Director's Staff)

Director Duane L. Shroufe
Deputy Director Steve K. Ferrell
Assistant Attorney General Jim Odenkirk

2. Hearings on License Revocations for Violation of Game and Fish Codes and Civil Assessments for the Illegal Taking and/or Possession of Wildlife

Presenter: Leonard Ordway, Law Enforcement Branch Chief

Roll call was taken. The following were present: Michael Chilson.

Motion: Gilstrap moved and Melton seconded THAT THE COMMISSION TAKE JURISDICTION IN THESE CASES.

Vote: Unanimous

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Michael S. Chilson

MR. ORDWAY: This is docket No. 2004-0052. Conviction summary; charges, count A, Take big game in excess of the bag limit; count B, take big game and allow to waste. Flagstaff Justice Court. The pleas on count A and B were guilty. The court findings were the same. The sentence, count A, a fine of \$300; count B, a fine of \$150.

Motion: Melton moved and Gilstrap seconded THAT THE LICENSE AND/OR LICENSE PRIVILEGES OF MICHAEL CHILSON, SR., TO HUNT, FISH AND TRAP IN THE STATE OF ARIZONA ARE REVOKED AND HE BE DENIED ANOTHER FOR A PERIOD OF FIVE YEARS; THAT THE CURRENT LICENSE BE SUSPENDED AS OF THE DATE OF THIS HEARING AND THAT IT BE REVOKED AS OF THE DATE THE ORDER IN THIS CASE IS SIGNED BY THE DIRECTOR; THAT HE BE REQUIRED TO COMPLETE A HUNTER EDUCATION COURSE AND PROVIDE PROOF TO THE DEPARTMENT BEFORE

APPLYING FOR ANY OTHER LICENSE TO HUNT IN THIS STATE; THAT THE DEPARTMENT BE DIRECTED TO COLLECT CIVIL DAMAGES AND TO BRING CIVIL ACTION AGAINST MR. CHILSON, SR., TO COLLECT THE AMOUNT OF \$4,554.46 FOR THE LOSS OF TWO COW ELK; AND I FURTHER MOVE THAT THE DIRECTOR, AS SECRETARY TO THE COMMISSION, BE DIRECTED TO SIGN AND ISSUE A FINDING OF FACT, CONCLUSION OF LAW AND AN ORDER IN THIS MATTER PURSUANT TO THIS MOTION.

Vote: Unanimous

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Isidro Marquez, Miguel Garcia Meza, Amador Marquez, Jesus Marquez Gonzalez, and Maurillo Marquez Avila

These five cases are related.

MR. ORDWAY: Docket number 2004-0045, Isidro Marquez. Charges: Count A, possess unlawfully taken wildlife, two antelope. Count B, possess unlawfully taken wildlife, two rabbits. Count C, possess wildlife taken without a license, two rabbits. The Court was the Seligman Justice Court. The pleas on all three counts were guilty. The Court findings were the same. Sentence on count A, two days in jail; count B, two days in jail; count C, a fine of \$215.

Motion: Golightly moved and McLean seconded THAT THE LICENSE AND/OR LICENSE PRIVILEGES OF ISIDRO MARQUEZ TO HUNT, FISH AND TRAP IN THE STATE OF ARIZONA BE REVOKED AND THAT HE BE DENIED ANOTHER FOR A PERIOD OF FIVE YEARS; THAT THE CURRENT LICENSES BE SUSPENDED AS OF THE DATE OF THIS HEARING AND THAT THEY BE REVOKED AS OF THE DATE THE ORDER IN THIS CASE IS SIGNED BY THE DIRECTOR; THAT HE BE REQUIRED TO COMPLETE A HUNTER EDUCATION COURSE AND PROVIDE PROOF TO THE DEPARTMENT BEFORE APPLYING FOR ANOTHER LICENSE TO HUNT IN THIS STATE; THAT THE DEPARTMENT BE DIRECTED TO COLLECT SHARED CIVIL DAMAGES OR TO BRING CIVIL ACTION AGAINST ISIDRO MARQUEZ TO COLLECT THE AMOUNT OF \$403.39 FOR HIS PART IN THE LOSS OF TWO DOE ANTELOPE AND TWO COTTONTAIL RABBITS; AND I FURTHER MOVE THAT THE DIRECTOR AS SECRETARY TO THE COMMISSION BE DIRECTED TO SIGN AND ISSUE A FINDING OF FACT, CONCLUSION OF LAW AND AN ORDER IN THIS MATTER PURSUANT TO THIS MOTION.

Vote: Unanimous

MR. ORDWAY: Docket Number 2004-0049, Jesus Marquez Gonzalez. Charges: Count A, possess wildlife unlawfully taken, the antelope; count B, possess wildlife unlawfully taken, the rabbits. Seligman Justice Court. Pleas, guilty both counts. Court findings the same. Sentence, fine of \$215 for each count.

Motion: McLean moved and Melton seconded THAT THE LICENSE OR LICENSE PRIVILEGES OF JESUS MARQUEZ GONZALEZ TO HUNT, FISH AND TRAP IN THE STATE OF ARIZONA ARE REVOKED AND HE BE DENIED ANOTHER LICENSE FOR A PERIOD OF FIVE YEARS; THAT THE CURRENT LICENSE BE SUSPENDED AS OF THE DATE OF THIS HEARING, AND THAT IT BE REVOKED AS OF THE DATE THE ORDER IN THIS CASE IS SIGNED BY THE DIRECTOR; THAT HE BE REQUIRED TO COMPLETE THE HUNTER EDUCATION COURSE AND PROVIDE PROOF TO THE DEPARTMENT BEFORE APPLYING FOR ANY OTHER LICENSE TO HUNT IN THIS STATE; THAT THE DEPARTMENT BE DIRECTED TO COLLECT SHARED CIVIL DAMAGES OR TO BRING CIVIL ACTION AGAINST JESUS MARQUEZ GONZALEZ TO COLLECT THE AMOUNT OF \$403.39 FOR HIS PART IN THE LOSS OF TWO DOE ANTELOPE AND TWO COTTONTAIL RABBITS; AND I FURTHER MOVE THAT THE DIRECTOR AS SECRETARY TO THE COMMISSION BE DIRECTED TO SIGN AND ISSUE A FINDING OF FACT, CONCLUSION OF LAW AND AN ORDER IN THIS MATTER PURSUANT TO THIS MOTION.

Vote: Unanimous

MR. ORDWAY: Docket Number 2004-0046, Miguel Garcia Meza. Charges: Count A, possess wildlife unlawfully taken, two antelope; count B, possess wildlife unlawfully taken, two rabbits; count C, knowingly take wildlife during a closed season, two antelope; count D, take wildlife without a valid license, permit or tag, two antelope; and count E, take wildlife with the aid of a vehicle, two antelope. Seligman Justice Court. The pleas on counts A, C, D and E were guilty. Count B was not guilty per plea agreement. The Court findings were the same. Sentences on count A, \$215; count C, \$550; count D, \$215; count E, a fine of \$215.

Motion: McLean moved and Melton seconded THAT THE LICENSE AND/OR LICENSE PRIVILEGES OF MIGUEL GARCIA MEZA TO HUNT, FISH AND TRAP IN THE STATE OF ARIZONA ARE REVOKED AND THAT HE BE DENIED ANOTHER FOR A PERIOD OF FIVE YEARS; THAT THE CURRENT LICENSE TO BE SUSPENDED AS OF THE DATE OF THIS HEARING AND THAT IT BE REVOKED AS OF THE DATE OF THE ORDER IN THIS CASE IS SIGNED BY THE DIRECTOR; THAT HE BE REQUIRED TO COMPLETE THE HUNTER EDUCATION COURSE AND PROVIDE PROOF TO THE DEPARTMENT BEFORE APPLYING FOR ANY OTHER LICENSE TO HUNT IN THIS STATE; THAT THE DEPARTMENT BE DIRECTED TO COLLECT SHARED CIVIL DAMAGES OR TO BRING CIVIL ACTION AGAINST MIGUEL GARCIA MEZA TO COLLECT THE AMOUNT OF \$403.39 FOR HIS PART IN THE LOSS OF TWO DOE ANTELOPE AND TWO COTTONTAIL RABBITS; I FURTHER MOVE THAT THE DIRECTOR, AS SECRETARY TO THE COMMISSION, BE DIRECTED TO SIGN AND ISSUE A FINDING OF FACT, CONCLUSION OF LAW AND AN ORDER IN THIS MATTER PURSUANT TO THIS MOTION.

Vote: Unanimous

MR. ORDWAY: Docket Number 2004-0047, Maurillo Marquez Gonzalez, Jr. Charges: Count A, possess unlawfully taken wildlife, two antelope; count B, possess unlawfully taken wildlife,

two rabbits; count C, take wildlife during a closed season, the antelope; count D, take wildlife without a valid license, permit or tag, two antelope; count E, take wildlife with the aid of a vehicle, two antelope. Seligman Justice Court. Plea, count A, C, D and E guilty, count B not guilty per plea agreement. Court findings the same. Sentence, count A, fine of \$215; count C, fine of \$550; count D, fine of \$215; count E, fine of \$215.

Motion: McLean moved and Gilstrap seconded THAT THE LICENSE AND/OR LICENSE PRIVILEGES OF MAURILLO MARQUEZ GONZALEZ, JR., TO HUNT, FISH AND TRAP IN THE STATE OF ARIZONA ARE REVOKED AND THAT HE BE DENIED ANOTHER FOR A PERIOD OF FIVE YEARS; THAT THE CURRENT LICENSE BE SUSPENDED AS OF THE DATE OF THIS HEARING AND THAT IT BE REVOKED AS OF THE DATE THE ORDER IN THIS CASE IS SIGNED BY THE DIRECTOR; THAT HE BE REQUIRED TO COMPLETE THE HUNTER EDUCATION COURSE AND PROVIDE PROOF TO THE DEPARTMENT BEFORE APPLYING FOR ANY OTHER LICENSE TO HUNT IN THIS STATE; THAT THE DEPARTMENT BE DIRECTED TO COLLECT SHARED CIVIL DAMAGES OR TO BRING CIVIL ACTION AGAINST MAURILLO MARQUEZ GONZALEZ, JR., TO COLLECT THE AMOUNT OF \$403.39 FOR HIS PART IN THE LOSS OF TWO DOE ANTELOPE AND TWO COTTONTAIL RABBITS; I FURTHER MOVE THAT THE DIRECTOR, AS SECRETARY TO THE COMMISSION, BE DIRECTED TO SIGN AND ISSUE A FINDING OF FACT, CONCLUSION OF LAW AND AN ORDER IN THIS MATTER PURSUANT TO THIS MOTION.

Vote: Unanimous

MR. ORDWAY: Docket Number 2004-0048, Amador Marquez. Charges: Count A, possess wildlife unlawfully taken, two antelope; count B, possess wildlife unlawfully taken, two rabbits; count C, take wildlife with the aid of a vehicle, two antelope; count D, travel off-road. Seligman Justice Court. Pleas on all four counts, guilty. Court findings the same. Sentence on the first three counts, A, B and C, a fine of \$215; count D fine of \$130.

Motion: McLean moved and Gilstrap seconded THAT THE LICENSES AND/OR LICENSE PRIVILEGES OF AMADOR MARQUEZ TO HUNT, FISH AND TRAP IN THE STATE OF ARIZONA ARE REVOKED AND THAT HE BE DENIED ANOTHER FOR A PERIOD OF FIVE YEARS; THAT THE CURRENT LICENSE BE SUSPENDED AS OF THE DATE OF THIS HEARING AND THAT IT BE REVOKED AS OF THE DATE THE ORDER IN THIS CASE IS SIGNED BY THE DIRECTOR; THAT HE BE REQUIRED TO COMPLETE THE HUNTER EDUCATION COURSE AND PROVIDE PROOF TO THE DEPARTMENT BEFORE APPLYING FOR ANY OTHER LICENSE TO HUNT IN THIS STATE; THAT THE DEPARTMENT BE DIRECTED TO COLLECT SHARED CIVIL DAMAGES OR TO BRING CIVIL ACTION AGAINST AMADOR MARQUEZ TO COLLECT THE AMOUNT OF \$403.39 FOR HIS PART IN THE LOSS OF TWO DOE ANTELOPE AND TWO COTTONTAIL RABBITS; I FURTHER MOVE THAT THE DIRECTOR, AS SECRETARY TO THE COMMISSION, BE DIRECTED TO SIGN AND ISSUE A FINDING OF FACT, CONCLUSION OF LAW AND AN ORDER IN THIS MATTER PURSUANT TO THIS MOTION.

Vote: Unanimous

MR. ORDWAY: Docket Number 2004-0050, Maurillo Marquez Avila. Charges: Count A, possess wildlife unlawfully taken, the antelope; count B, possess wildlife unlawfully taken, the rabbits. Seligman Justice Court. Pleas, guilty both counts. Court findings the same. Sentence, a fine of \$215 dollar for each count.

Motion: McLean moved and Gilstrap seconded THAT THE LICENSE AND/OR LICENSE PRIVILEGES OF MARIO MARQUEZ AVILA TO HUNT, TRAP AND FISH IN THE STATE OF ARIZONA ARE REVOKED AND THAT HE BE DENIED ANOTHER FOR A PERIOD OF FIVE YEARS; THAT THE CURRENT LICENSE BE SUSPENDED AS OF THE DATE OF THIS HEARING AND THAT IT BE REVOKED AS OF THE DATE THE ORDER IN THIS CASE IS SIGNED BY THE DIRECTOR; THAT HE BE REQUIRED TO COMPLETE THE HUNTER EDUCATION COURSE AND PROVIDE PROOF TO THE DEPARTMENT BEFORE APPLYING FOR ANY OTHER LICENSE TO HUNT IN THIS STATE; THAT THE DEPARTMENT BE DIRECTED TO COLLECT SHARED CIVIL DAMAGES OR TO BRING CIVIL ACTION AGAINST MAURILLO MARQUEZ AVILA TO COLLECT THE AMOUNT OF \$403.39 FOR HIS PART IN THE LOSS OF TWO DOE ANTELOPE AND TWO COTTONTAIL RABBITS; I FURTHER MOVE THAT THE DIRECTOR, AS SECRETARY TO THE COMMISSION, BE DIRECTED TO SIGN AND ISSUE A FINDING OF FACT, CONCLUSION OF LAW AND AN ORDER IN THIS MATTER PURSUANT TO THIS MOTION.

Vote: Unanimous

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Kelvin Landon Walker

MR. ORDWAY: Docket Number 2004-0051, Kelvin Landon Walker. Charges: Count A, possess unlawfully taken wildlife, a mule deer. Court, the Round Valley Justice Court. Plea, count A, not guilty. Court findings, count A, guilty. Sentence, count A, fine of \$433. Noted for the record, in between the time of initial notice for Mr. Walker, he had moved. So by the time we did the second notice where we did the change of venue, he had moved and did not receive that or denied it. We've had notice over at the hotel where it was originally that if he showed up, that I get a call, and I have not received a call so far. As far as I can tell, we legally noticed it.

Motion: Gilstrap moved and Golightly seconded THAT THE LICENSE AND/OR LICENSE PRIVILEGES FOR KELVIN LANDON WALKER TO HUNT, FISH AND TRAP IN THE STATE OF ARIZONA ARE REVOKED AND THAT HE BE DENIED ANOTHER FOR A PERIOD OF FIVE YEARS; THAT THE CURRENT LICENSE BE SUSPENDED AS OF THE DATE OF THIS HEARING, AND THAT THEY BE REVOKED AS OF THE DATE THE ORDER IN THIS CASE IS SIGNED BY THE DIRECTOR; THAT HE BE REQUIRED TO COMPLETE A HUNTER EDUCATION COURSE AND PROVIDE PROOF TO THE DEPARTMENT BEFORE APPLYING FOR ANY OTHER LICENSE TO HUNT IN THIS STATE; THAT THE DEPARTMENT BE DIRECTED TO COLLECT CIVIL DAMAGES OR

BRING CIVIL ACTION AGAINST KELVIN LANDON WALKER TO COLLECT THE AMOUNT OF \$1,336.34 FOR THE LOSS OF ONE MULE DEER BUCK; AND I FURTHER MOVE THAT THE DIRECTOR AS SECRETARY TO THE COMMISSION BE DIRECTED TO SIGN AND ISSUE A FINDING OF FACT, CONCLUSION OF LAW AND AN ORDER IN THIS MATTER PURSUANT TO THIS MOTION.

Vote: Unanimous

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Boun Chalernsouk and Bounmy Vongphakdy

These two cases are related.

MR. ORDWAY: Docket Number 2004-0053, Boun Chalernsouk. Charges: Count A, knowingly take wildlife during closed season, a turkey; count B, possession of unlawfully taken wildlife, that turkey. Court, Flagstaff Justice Court. The plea, count A and B, guilty. Court findings the same. Sentence on count A, a fine of \$800, count B fine of \$50.

Motion: Golightly moved and McLean seconded THAT THE LICENSE AND OR LICENSE PRIVILEGES OF BOUN CHALERNSOUK TO HUNT, FISH AND TRAP IN THE STATE OF ARIZONA ARE REVOKED AND THAT HE BE DENIED ANOTHER FOR A PERIOD OF FIVE YEARS; THAT THE CURRENT LICENSES BE SUSPENDED AS OF THE DATE OF THIS HEARING AND THAT THEY BE REVOKED AS OF THE DATE THE ORDER IN THIS CASE IS SIGNED BY THE DIRECTOR; THAT HE BE REQUIRED TO COMPLETE THE HUNTER EDUCATION COURSE AND PROVIDE PROOF TO THE DEPARTMENT BEFORE APPLYING FOR ANY OTHER LICENSE TO HUNT IN THIS STATE; THAT THE DEPARTMENT BE DIRECTED TO COLLECT SHARED CIVIL DAMAGES OR TO BRING CIVIL ACTION AGAINST BOUN CHALERNSOUK TO COLLECT THE AMOUNT OF \$222.73 FOR HIS PART IN THE LOSS OF ONE TURKEY; AND I FURTHER MOVE THAT THE DIRECTOR, AS SECRETARY, TO THE COMMISSION BE DIRECTED TO SIGN AND ISSUE A FINDING OF FACT, CONCLUSIONS OF LAW AND AN ORDER IN THIS MATTER PURSUANT TO THIS MOTION.

Vote: Unanimous

MR. ORDWAY: Docket Number 2004-0054, Bounmy Vongphakdy. Charges: Count A, possession of unlawfully taken wildlife, a turkey. Court, Flagstaff Justice Court. Plea, guilty. Court findings, the same. Sentence, count A, a fine of \$80.

Motion: Gilstrap moved and McLean seconded THAT THE LICENSES AND LICENSE PRIVILEGES FOR BOUNMY VONGPHAKDY, TO HUNT, FISH AND TRAP IN THE STATE OF ARIZONA BE REVOKED AND HE BE DENIED ANOTHER FOR A PERIOD OF FIVE YEARS; THAT THE CURRENT LICENSE BE SUSPENDED AS OF THE DATE OF THIS HEARING AND THAT THEY BE REVOKED AS OF THE DATE THE ORDER IN THIS CASE IS SIGNED BY THE DIRECTOR; THAT HE BE REQUIRED TO COMPLETE A HUNTER EDUCATION COURSE AND PROVIDE PROOF TO THE DEPARTMENT

BEFORE APPLYING FOR ANY OTHER LICENSE TO HUNT IN THIS STATE; THAT THE DEPARTMENT BE DIRECTED TO COLLECT SHARED CIVIL DAMAGES OR TO BRING CIVIL ACTION AGAINST BOUNMY VONGPHAKDY TO COLLECT THE AMOUNT OF \$222.72 FOR HIS PART IN THE LOSS OF ONE TURKEY; AND I FURTHER MOVE THAT THE DIRECTOR, AS SECRETARY TO THE COMMISSION, BE DIRECTED TO SIGN AND ISSUE A FINDING OF FACT, CONCLUSION OF LAW AND AN ORDER IN THIS MATTER PURSUANT TO THIS MOTION.

Vote: Unanimous

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Christopher William Jenkins

MR. ORDWAY: Docket Number 2004-0055, Christopher William Jenkins. Charges: Count A, take wrong gender during an antlerless hunt; count B, waste of game meat. Court, Flagstaff Justice Court. Plea on counts A and B was guilty. Court findings the same. Sentence on each count, a fine of \$204.

Motion: McLean moved Gilstrap seconded THAT THE LICENSES AND/OR THE LICENSE PRIVILEGES OF CHRISTOPHER WILLIAM JENKINS TO HUNT, FISH AND TRAP IN THE STATE OF ARIZONA ARE REVOKED AND THAT HE BE DENIED ANOTHER FOR A PERIOD OF FIVE YEARS; THAT THE CURRENT LICENSE BE SUSPENDED AS OF THE DATE OF THIS HEARING AND THAT IT BE REVOKED AS OF THE DATE THE ORDER IN THIS CASE IS SIGNED BY THE DIRECTOR; THAT HE BE REQUIRED TO COMPLETE THE HUNTER EDUCATION COURSE AND PROVIDE PROOF TO THE DEPARTMENT BEFORE APPLYING FOR ANY OTHER LICENSE TO HUNT IN THIS STATE; THAT THE DEPARTMENT BE DIRECTED TO COLLECT CIVIL DAMAGES OR TO BRING CIVIL ACTION AGAINST CHRISTOPHER WILLIAM JENKINS TO COLLECT THE AMOUNT OF \$2,277.23 FOR THE LOSS OF ONE FOUR BY FOUR ANTLERED BULL ELK; AND I FURTHER MOVE THAT THE DIRECTOR, AS SECRETARY TO THE COMMISSION, BE DIRECTED TO SIGN AND ISSUE A FINDING OF FACT, CONCLUSION OF LAW AND AN ORDER IN THIS MATTER PURSUANT TO THIS MOTION.

Vote: Unanimous

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